

# HOLWELL SHUSTER & GOLDBERG LLP

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December 12, 2023

**By ECF**

Hon. Paul A. Engelmayer  
United States District Judge  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

RE: *Carl Zeiss Industrial Metrology, LLC. v. Oakland Automation, LLC* || 1:23-cv-05169-PAE

Dear Judge Engelmayer:

We represent the Plaintiff Carl Zeiss Industrial Metrology, LLC (“Plaintiff”), and write to respectfully request an additional seven (7) days to file Plaintiff’s motion for a default judgment. This is Plaintiff’s first request for such an extension.

This Court issued an order requiring Plaintiff to show cause why this claim should not be dismissed, noting that Plaintiff may show cause by filing a timely and proper motion for a default judgment by today’s date. ECF No. 16. Plaintiff has been working diligently to complete the declarations and materials required under the Court’s Rules to provide a complete record to support Plaintiff’s proposed damages, interest, and attorneys’ fees award sought through the date of filing a proper motion for a default judgment.

In its Complaint, Plaintiff seeks the damages it incurred at that time and those it has incurred since the date of filing that relate to the shipment of the Robot ABIS BIW System at issue,

installation of the Robot ABIS BIW System, testing the Robot ABIS BIW System, and providing all mechanical, electrical, programmable logic controllers and process/robot programmers to de-bug, startup and launch the Robot ABIS System. ECF No. 1, pp. 5-7. Plaintiff intends to rely on these materials to provide the Court an adequate basis to award complete relief without the need for a further damages inquest under Rule 3.M(i)(e). Of course, should the Court require additional support or if the matter is set for a damages hearing under Rule 3.M or referred for an inquest, Plaintiff will proceed as directed.

Plaintiff respectfully requests an additional seven (7) days to file its Motion for Default Judgment, up to and including December 19, 2023.

Respectfully submitted,

Dated: December 12, 2023

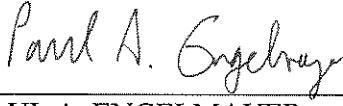
/s/ Scott M. Danner

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Granted.

SO ORDERED.

Dated: December 12, 2023

  
PAUL A. ENGELMAYER  
United States District Judge